REMARKS

Claims 1-17 are present in this application. Claims 1, 3, 5, 6, 8, 10, 11, 13, and 15 are independent claims.

§ 101 Rejection

Claims 11-15 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended claims 11-15 to include apparatus components of Fig. 1 in order to comply with USPTO policy. Applicant requests that the rejection be reconsidered and withdrawn.

§ 103 Rejection

Claims 1-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,163,749 (McDonough). Applicant has amended the claims. Applicant respectfully traverses this rejection based on the claims as amended.

Summary of the Claimed Invention

According to the present specification, mobile phones, PDA's and other computer apparatuses have been used to receive content data and display the content data. In order to reduce processing load on the device for display, a technique has been applied in which processing capability (complexity) required for reproduction of content is calculated before reproduction. Reproduction of the content is then suppressed when the complexity exceeds a limit value of the reproduction processing capability. (present specification, "Background Art").

Although unnecessary processing load is prevented from being imposed on the terminal, the approach of suppressing reproduction of the content leads to other problems.

For example, in the case of content such as an advertisement, the content distributor wants the content to be viewed. If reproduction is blocked, the number of users that would see the content is decreased.

Another example, is where a more advanced newer terminal is unable to display content because the terminal has a new function that is not capable of reproducing the content produced for an older terminal (see also specification at page 8, lines 4-11).

Furthermore, the approach to suppressing reproduction of the content leads to suppression of entire content even when only a portion of the content exceeds the limit of reproduction.

In order to solve these problems, the present invention allows a content producer to assign a priority to each object in the content (specification at page 9, lines 1-3).

Terminal devices of the present invention allow some functions of the reproduction engine to be set off (specification at page 6, lines 8-10).

If complexity of reproduction exceeds an upper limit, priority in plotting is assigned to each object resulting in suppression of reproduction of at least one low priority object or quality of reproduction is lowered (specification at page 6, lines 23-28).

McDonough

McDonough discloses a "conflicts check" that is a process of determining which names or icons are to be displayed in the case that there would be a conflict with the display area required by another name or icon. In particular, McDonough discloses that the map processing layer performs a conflicts check to determine whether names and icons will overlap or interfere with one another on the rendered map (col. 17, lines 12-15). Comparison is based on order of priority in a priority list and is determined based on "extent" or area required by a name or icon.

Differences over McDonough

CLAIMS 1, 6, 11

The Examiner alleges that,

"Although McDonough fails to explicitly teach calculating complexity, the conflict check would cause a more dense and confusing display, i.e., more complex. If the extents of the newest name would conflict with the area required by a name already in the list, the newest name is omitted from the list, and thus omitted from the map" (referring to col. 17, lines 30-33). (Office Action at page 4, lines 4-10). In other words, it appears that the Examiner believes that McDonough teaches a concept of "complexity."

The Examiner also refers to a section in McDonough relating to layers having different distances at column 10, lines 1-15, for further teaching of suppressing as it may relate to an upper limit. (Office Action at page 4, lines 10-22).

Applicant submits that, McDonough's conflicts check does not teach claimed features of "calculating complexity" of content including a plurality of objects and comparing the calculated complexity to an upper limit of processing capability of the apparatus. Also, Applicant notes that the section disclosing layers for different distances at column 10 of McDonough does not pertain to the conflicts check, at least to the extent that the decision to suppress a name or icon is not based on the switching between layers having different distances disclosed at column 10. In particular, McDonough does not disclose a relationship between the map configuration object 54 and the extent information in the list of spatial extents.

Instead, according to McDonough, each name is taken in order of priority and determined if the name will overlap the area of a name already selected (col. 17, lines 17-20).

In other words, in McDonough names are selected to be placed on the map based on priority. In McDonough a name is only omitted based on a conflict with the area in which the name is to be placed. In other words, in McDonough a name having a high priority can be

omitted if there is a conflict, while a name having a low priority may be displayed. Applicant submits that the decision to omit or not omit a name is not because of priority.

To the contrary, in the present invention complexity is calculated when displaying content based on a plurality of objects, and an object to be suppressed is selected based on priorities among the objects included in the content. The "complexity" of the claimed invention is not determined by conflict between objects, but rather is based on a processing capability of the apparatus.

Thus, claims 1, 6, and 11 have been amended to explicitly recite that suppressing is based on priorities among objects included in the content.

In addition, as admitted by the Examiner, McDonough fails to explicitly teach calculating complexity. Thus, Applicant has amended claims 1, 6, and 11 to explicitly recite that the suppressing occurs based on the condition that the complexity exceeds an upper limit of processing capability of the apparatus.

Applicant submits that McDonough fails to teach at least one element recited in the claims as amended. Applicants request that the rejection of claims 1, 6, and 11 be reconsidered and withdrawn based on the claims as amended.

CLAIMS 3, 8, 13

As noted above, a problem addressed by the present invention is where a more advanced newer terminal is unable to display content because the terminal has a new function that is not capable of reproducing the content produced for an older terminal (see also specification at page 8, lines 4-11).

A solution provided by the present invention is to set off functions of the terminal device (specification at page 6, lines 8-10).

Claim 3 covers the aspect of invalidating part of functions of the reproduction engine based on an upper limit of processing capability. Claim 8 is directed to comparable computer-readable medium. Claim 13 is directed to comparable method steps.

The Examiner's rejection interprets "invalidating" recited in claims 3, 8, and 13 as being the same as the "suppressing" of claim 1. In a similar manner as the rejection of claim 1, the Examiner refers to the "conflicts check" disclosed in McDonough.

In order to clarify the differences between the claimed "invalidating" and the "suppressing" of claim 1, claims 3, 8, and 13 have been amended to clarify that it is the functions of the display apparatus that are invalidated, as opposed to suppressing display objects of claims 1, 6, and 11.

Applicant submits that McDonough fails to teach at least the claimed feature of "invalidating part of the functions of the display apparatus and displaying said objects based on said processing complexity" recited in the claims as amended. Applicant requests that the rejection of claims 3, 8, and 13 be reconsidered and withdrawn based on the claims as amended.

CLAIMS 5, 10, 15

Further as noted above, a problem addressed by the present invention is the approach to suppressing reproduction of the content leads to suppression of entire content even when only a portion of the content exceeds the limit of reproduction.

A solution provided by the present invention is that if complexity of reproduction exceeds an upper limit, priority in plotting is assigned to each object resulting in suppression of reproduction of at least one low priority object or quality of reproduction is lowered (specification at page 6, lines 23-28).

Claim 5 covers an aspect where the content is an animation and display of a frame is suppressed when complexity exceeds an upper limit. Claim 10 is directed to comparable computer-readable medium. Claim 15 is directed to comparable method steps.

In particular, claim 5 recites a control means "suppressing display of the frame..." The Examiner's rejection of claim 5, as well as claims 10 and 15, does not address this claimed feature.

The Examiner's rejection appears to consider the scrolling function of McDonough as teaching frames. McDonough discloses first graphics buffer 67 for storing a first map area 200 and a second graphics buffer 68 for storing a second map area 202, which are overlapping map areas (McDonough at col. 18 under "C. Smooth Scrolling Functionality"; map areas shown in Fig. 19).

Applicant submits that although McDonough discloses display of a graphical map (Fig. 2) that requires processing of graphical display items (Fig. 3), McDonough does not take into consideration processing capability (complexity) in controlling which graphic objects should be displayed.

Thus, Applicant submits that McDonough fails to disclose suppressing a frame for which calculated complexity exceeds an upper limit of complexity. For example, McDonough does not disclose suppressing a map area 200/202 in the scrolling function.

For at least these reasons, Applicant request that the rejection of claims 5, 10, and 15 be reconsidered and withdrawn.

CLAIM 17

Claim 17 is directed to the features recited in claim 1 as well as a communicating means in which received content includes "priority assigned to each of the plurality of objects."

The Examiner's rejection indicates that McDonough teaches a navigation system that may be implemented in a networked environment or on a client-server platform. However, Applicant submits that the Examiner's rejection does not address at least the claimed feature recited in claim 17.

In particular, Applicant submits that McDonough fails to disclose at least received content including priority assigned to each of the plurality of objects. For at least this reason, Applicant requests that the rejection of claim 17 be reconsidered and withdrawn.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs** Reg. No. 48,222 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By Robert Downs #48222

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